

## **REMARKS**

This application has been reviewed in light of the Final Office Action mailed September 28, 2005. Reconsideration of this application in view of the below remarks is respectfully requested. Claims 9-24 are pending in the application with Claims 9-11, 16-18 and 23-24 being in independent form. By the present response, Claims 9-11 and 16-18 are amended. No new subject matter is introduced into the disclosure or claims by way of the present amendments.

### **I. Rejection of Claims 9-24 Under 35 U.S.C. §102(e)**

The Examiner has rejected Claims 9-24 under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,690,410 issued to Mochida et al. In response, the Applicant respectfully traverses the Examiner's rejection under 35 U.S.C. § 102(e) for at least the reasons set forth below. However, the independent claims have been amended to clarify their distinguishing features.

The Examiner alleges that Mochida discloses an endoscope 3 including a CCD 2, a signal processing device including a first signal processor (i.e., patient circuit 5), which includes an A/D converter 24 that is insulated by a photocoupler 15e from a second signal processor (any one of 29, 32, 33, etc.), all of which inherently have outputs, a connector 35, and a signal processing section (i.e., expansion substrates 41, 42 and 43) detachably connected to the connector and inherently having an output. (See: col. 9, lines 37-60). However, Mochida fails to anticipate all the limitations of Applicant's amended Claims 9-11, 16-18 and 23-24.

For example, independent Claim 9 recites: "an endoscope including an image pick-up device for converting a subject image into an image signal; and a signal processing device for processing the image signal, the signal processing device including: a first signal processor that implements a signal process of the image signal and outputs the processed image signal with a

first output format; and a connector adapted for connecting to a second signal processor, which implements the signal process of the image signal and outputs the processed image signal with a second output format, both the first output format and the second output format being display formats.” (Emphasis added).

Figure 78 of Mochida discloses that the expansion substrate (1507) is connected to a main substrate (7) and that an expansion substrate (1508) is further connected to an expansion substrate (1507). The output for displaying based on the output of the CCD2 is output to the monitor (MONITOR) from the main substrate (7), a DV digital compression signal (DV OUTPUT) produced based on the output of the CCD2 is output to a DV recorder (not shown) from the expansion substrate (1507), and an MPEG2 digital compression signal (MPEG2 OUTPUT) produced based on a DV digital compression signal (DV OUTPUT) from the expansion substrate (1507) is output to an MPEG2 recorder (not shown) from the expansion substrate (1508).

Therefore, the output of the signal processor of the main substrate in Mochida is an output format for displaying on a monitor and the output of the signal processor of the expansion substrate is not an output format for displaying on a monitor, but rather an output format for recording.

Thus, Mochida fails to anticipate a first signal processor that implements a signal processing device for processing the image signal, the signal processing device including a first signal processor that implements a signal process of the image signal and outputs the processed image signal with a first output format, and a second signal processor detachably connected to a connector, the second signal processor implementing the signal process of the image signal and outputting the processed image signal with a second output format, both the first output format

and the second output format being display formats, as recited in independent Claim 10. The remaining independent claims recite similar limitations.

Thus, with regard to the rejection of claims 9-24 under 35 U.S.C. § 102(e), an electronic endoscope and signaling apparatus having the features discussed above and as recited in independent claims 9-11, 16-18, 23 and 24, is nowhere disclosed in Mochida. In contrast, it is clear from Applicant's FIG. 1 and the specification that both output formats are in fact display formats.

It is well-settled by the Courts that "[a]nticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim." Lindemann Maschinenfabrik GMBH v. American Hoist and Derrick Company, et al., 730 F.2d 1452, 221 USPQ 481 (Fed. Cir., 1984). Therefore, since Mochida does not disclose each and every element recited in the present claims, Claims 9-11, 16-18 and 23-24 are believed to be patentably distinct over the cited prior art reference.

Additionally, Claims 12-15 and 19-22 depend from independent Claims 11 and 18 and thus include all the limitations recited by these independent claims. Accordingly, Applicant respectfully requests withdrawal of the rejection with respect to Claims 9-24 under 35 U.S.C. §102(e).

## **II. Rejection of Claims 9 and 16 Under 37 C.F.R. §1.75**


Claims 9 and 16 have been rejected as allegedly being substantial duplicates of Claims 10 and 17, respectively. In response, Claims 9 and 16 have been amended as recommended by the Examiner, to clearly differentiate Claim 9 from Claim 10 and Claim 16 from Claim 17, thus obviating the double patenting rejection. Accordingly, Applicant respectfully requests withdrawal of the rejection with respect to Claims 9 and 16.

### **CONCLUSIONS**

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 9-24 are believed to be in condition for allowance and patentably distinguishable over the art of record.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call Applicant's undersigned attorney at the number indicated below.

Respectfully submitted,



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